

Moab Remedial Action Contract (RAC)
Request for Task Order Proposal
Questions and Responses 175 – 220
Amended Questions and Responses 141 & 143
January 21, 2011

175. Will the ARRA funded employees be reduced in numbers prior to the start of the transition period of the new contract?

Response: As ARRA funds decline, staffing will be adjusted commensurate with the funding provided to the site.

176. During the site visit we observed, what appeared to be, the loaded containers being weighed prior to going down the hill to the de-lidding building. Truck scales were not discussed in the hand out materials and we don't recall any discussion of the weighing of the loaded containers. Truck scales were not listed on the GFI data base nor in the equipment purchase list provided in "Attachment L-7". Please describe how each loaded container is weighed prior to being washed and transported to the rail head for loading onto the rail cars.

Response: Typically, loaded containers are randomly weighed, with QA verification. The truck scale is DOE owned and has been added to the GFP list in Attachment J-C.

177. Can the Department provide the maintenance history and specifications for the 22 mile water supply lift stations?

Response: The water supply lift stations are relatively new and maintenance costs have been minimal to date. Attachment L-7 will be modified to provide a DOE cost for maintenance.

178. Can the department provide the last two years and current funding profile for the project (not to include ARRA funding)?

Response: FY09 Moab RAC project funding was \$36.2M and FY10 Moab RAC project funding was \$34.4M. For FY 11, the contractor is working under a Continuing Resolution.

179. A portion of the Moab site (~14 acres) has been free released to acceptable levels and is currently exposed to the environment. Can the Department provide additional information as to the liabilities and expectations of the new contractor in keeping this area below acceptable soil release limits. Also, can the new contractor expect a comprehensive and current radiological survey of the area prior to assuming the responsibility of the site operations.

Response: DOE has not free released any portion of the Moab site. Portions of the Moab site have been sampled and determined to meet the clean-up standards. DOE expects the contractor to keep the areas that have met the clean-up standards in the same condition in order to prevent recontamination. The most current radiological data has been posted to the Moab acquisition website.

180. The contractor can expect an expensive maintenance program on GFE equipment as the project matures through the course of the project. Can the Department provide current conditions of equipment and maintenance history in order to determine sufficient maintenance costs in our proposal?

Response: Refer to Q&A #105 above.

181. For non-GFE equipment becoming permanently contaminated during long onsite operation, can the Contractor assume that these items will be replaced under a fair market value at the closeout term of the project?

Response: No. It is the responsibility of the contractor to decontaminate the equipment at the end of the task order to enable release from the contamination area.

182. Is it anticipated for the Contractor to maintain an office in Grand Junction purposes of interfacing with DOE?

Is office space in Grand Junction provided to the RAC by DOE?

Response: Refer to Q&A #62 dated 1/19/11. Yes.

No.

183. The subcontract between the current contractor and the Union Pacific Railroad provides for its assignment someone other than the incumbent contractor with the approval of the railroad. Is it the intent of DOE that this subcontract (and other subcontracts held by the current MOAB RAC at the site) will be assigned to the successful offeror, if other than the current contractor, with the current terms and pricing preserved?

Response: DOE anticipates the UP contract will be assigned, however, the contractor will review the current subcontracts during the transition period and request assignment of those deemed necessary. Refer to Amended Q&A #143. Additionally, PWS Section L.8 (h) (12) will be modified to have the escalation factor of 6% for the Union Pacific transportation costs.

184. Are there any tunnels or other restrictive structures between the Tailings pile and the CJ location along the U-P rail line? If so, please provide weight limits for the bridges and/or height restrictions for the tunnels or other pertinent details.

Response: Crane Creek Line bridges have a weight limit of 143 tons per 4 axle rail car. The Interstate 70 underpass and the Moab Airport underpass have a height limit of 18' and a width restriction of 11 feet.

185. Does the TAC laboratory count all RAC alpha and gamma spec samples or is it expected that the RAC have its own on-site alpha and gamma spec laboratory?

Response: The current TAC laboratory has the ability to perform all alpha and gamma spec samples and the RAC can use the equipment within the laboratory.

186. Is there a schedule driver to release clean areas or is the primary schedule driver simply to move tons of material? Does DOE expect the contractors to excavate in a manner to release areas under the piles or simply excavate to reduce the overall soil in the pile by 3,087,500 tons?

Response: Currently, there are no schedule drivers to release clean areas. PWS Section 2.3.1 will be modified to provide the contractor with direction to excavate approximately equal volumes of sands, slimes and transition materials at Moab.

187. It was stated that a statistical sampling strategy was being used to weigh containers and survey containers at the Tailings site in Moab. Is a similar statistical strategy being used to survey containers at the Crescent Junction site?

Response: Yes.

188. During the 60 day transition period, it is anticipated that a significant number of staff will be laid off from the current contractor and not picked up by the new contractor due to ARRA funds no longer being available and the production schedule ramping down from 2-2.5 million tons per year to 650,000 tons per year. Please confirm that the new contractor does not have an obligation to retrain, transition to other industries/projects, or otherwise mitigate the effect of the lay-offs for the displaced staff. Please confirm that this is the current contractor's responsibility.

Response: ARRA funding is schedule to be exhausted by September 30, 2011. Therefore, it is anticipated that adjustments to the current workforce will already have been made prior to the new contractor assuming responsibility of the site.

189. In the PWS, the activity of "Performing O&M of the pipeline from the Green River to the pond at Crescent Junction" is included in WBS C.2.6.1 (Crescent Junction Ops), the activity of "Maintain and Perform Repairs of to the rail line at EmKay and Brendel sites" is included in WBS C.2.5 (Transportation), and the Activity of "Provide janitorial services for the Moab and Crescent Junction Sites" is included in C.2.7.3 (Site Support). Will DOE consider moving these activities into WBS C.2.2 "Facility and Ground Maintenance" as these seem to be general maintenance activities?

Response: No.

190. In accordance with DOE G 413.3-7, "Risk Management Guide," the prospective bidders should be evaluating project risk and including management reserve in our performance management baseline proposals to insulate the DOE from change requests should these risks be realized. Where does DOE want us to portray this management reserve in our cost proposals? Would DOE prefer us to establish another WBS to cover management reserve for the entire project or would DOE like to see it rolled up into each existing WBS as presented?

Response: Contractors should consider risk within each WBS when preparing cost estimates. However, it is inappropriate to identify or propose Management Reserve (MR) within the cost proposals. After award, MR is identified separately in the Performance Measurement Baseline (PMB).

191. Attachment L-7, item 1 provides us a lump sum cost to assume for Facility/Ground Maintenance per year. As such, we will not have to develop detailed BOEs for this WBS/PWS element. However, does DOE expect us to include detailed activities for these WBS elements in our proposal schedule?

Response: No.

192. Section C.2.3.1 required the contractor to excavate RRM in the sub-pile, if necessary, in order to meet remediation standards of 40 CFR Part 192, Subpart A. Verification of cleanup is covered in section 9.1.3 of the RAP. Section C.2.7.1, states that the contractor shall: Verify the soil cleanup standards in 40 CFR 192 have been met; ...Apply "supplemental standards" (40 CFR 192-21) when necessary..." Submit a completion report of for each off-pile area to DOE within 60 days after verification sampling is completed;... To this end, Will any existing plans, procedures, facilities, and equipment be made available to the RAC for this purpose? If existing approved plans are to be used, can these be made available for estimating purposes? The focus of C.2.7.1 appears to be the off-pile verification sampling and reporting. Is the sub-pile included as part of C2.7.1?

Response: The plans and procedures (e.g., RAP, etc.) have been made available to the RAC via the Moab acquisition website. The facilities and equipment identified in this RTP will be made available after the RAC assumes full responsibility of site activities.

PWS Section C.2.7.1 is not focused on off-pile verification. It is the standards applicable to all Moab remediation and Crescent Junction operations.

193. In the RTP Section L.8 (k) Contract Transition Cost, the DOE states "The actual contract transition may be different." If the actual transition period may be different than 60 days, may the contractor plan on and cost a transition that is less than 60 days, or must it propose its Basis of Estimate based on a Duration of 60 Days? Our concern is that offerors may not all propose and cost to the same requirement, making straight forward comparison of the Contract Transition Cost more difficult.

Response: For proposal preparation purposes, the contractors are to assume a 60 day transition period.

194. In RTP Section M.4(a) Criterion 1 - Technical Approach, the RTP states "DOE will evaluate the **realism** of the detailed integrated schedule including the critical path schedule." Section L for Criterion 1 does not direct offerors to demonstrate the realism of our schedule. We are concerned that the "realism" of the durations and sequencing of activities of the schedule is fully supported in the Cost Volume by the detailed Basis of Estimates. Will the SEB be allowed to review the Cost Volume Basis of Estimates to evaluate the realism of the Integrated Schedule?

Response: In the review of the Technical Approach, DOE will evaluate the overall realism of the schedule. The evaluators will also evaluate the realism of the schedule in the technical review of cost.

195. The instruction at L.6(b)(7) directs the contractor, teaming or joint venture partners and major subcontractors to provide the statement described in the ID/IQ contract Section I.116, DEAR 952.209-72, Organizational Conflicts of Interest (JUN 1997) – Alternate I. This clause does not appear to describe a statement. Is the instruction referring to the statement described by the clause DEAR 952.209-8, Organizational Conflicts of Interest-Disclosure?

Response: Section L.6(b)(7) will be modified to reference DEAR 952.209-8, and the contractors are required to provide a statement similar to that with the proposals.

196. Section L.8(h)(4) notes that the contractor "shall not use factors as part of its estimating technique." Is it acceptable to use standard published Fuel Oil Grease and Maintenance (FOGM) numbers for specific pieces of equipment?

Response: Yes.

197. Section L, C.2.6.1 notes that the contractor is "responsible for preparation and disposal of all RRM wastes ... This includes design, excavation, and construction of the disposal cell." What additional design is required?

Response: During the course of the task order, the contractor may be required to design the next phase of the disposal cell. Attachment L-7, Item 6, will be revised to provide a pricing assumption for potential design activities.

198. RAP Appendix B, Final Design Specification 31-00-30 R1 Placement and Compaction of Final Cap (page 6), requires the Mancos Shale to be crushed / pulverized to less than on inch. This material is supposed to be currently available and stockpiled onsite. Has the material already been crushed to meet the specification or is the Offeror required to crush the material?

Response: Refer to Q&A #5 posted on the Moab acquisition website 1/13/11. For proposal preparation purposes, contractors are to assume that Mancos Shale used for the interim and final covers is not currently stockpiled on-site.

199. Will DOE provide a more detailed description of the location of slime in the RRM pile? Is the slime distributed or concentrated in zones?

Response: The RAP identifies the characteristics and location of the RRM types within the tailings pile.

200. C.2.2 Facility / Ground Maintenance requires equipment maintenance. Is the required ongoing maintenance of the mobile equipment included in the plug value cost provided by DOE for C.2.2?

Response: No.

201. In evaluating the resumes, would DOE accept giving credit for years of service in lieu of a degree? It is our normal policy to do an equivalent of 2 years of experience for one year of education. Would DOE consider this in its evaluation of the resumes?

Response: DOE considers all information when evaluating key personnel's suitability, education, leadership and relevant experience. There is no equivalency formula.

202. Criterion 2 – Key Personnel and Organization requires that we submit resumes of the key personnel and that DOE will evaluate suitability to the proposed position, experience working on work similar, previous experience working together, education, leadership and relevant experience. Would DOE evaluate all this only from the resumes or would DOE also evaluate the information provided in the text for the Criterion 2 Section (Key Personnel and Organization) of the Technical and Management Proposal?

Response: All information submitted for Criterion 2 will be considered in the evaluation.

203. The RTP requires that bidders assume that we will purchase equipment for \$4,099,000, and the RTP provides the list of equipment. If we do not need some of this equipment, can we assume that the equipment not required does not have to be purchased?

Response: No, the contractor must assume that all equipment identified in Attachment L-7, Item 7, must be purchased/leased.

204. The Section L-8 cost forms show in FY12 a cost item of \$4,123,500. Is this item related to the \$4,099,000 that DOE has required the bidder to assume will be spent for equipment in FY12, and is this amount for the equipment to be purchased by the bidder supposed to be direct billed to DOE?

Response: Attachments L-7, Item 7, and L-8 will be revised to require amortization of the equipment over life of the task order.

205. If a bidder has its own equipment or does not need to use the equipment listed in L-42, do we still have to include that amount in the cost forms?

Response: Refer to Q&A #203 above.

206. Are bidders required to maintain excavation and emplacement operations for 12 months out of the year, or can an alternative work schedule be proposed assuming the 650,000 tons per year requirement is still met.

Response: DOE will evaluate the contractor's technical approach. The RTP identifies the amounts of RRM to be excavated, transported and placed each fiscal year.

207. Attachment L-7 Cost Assumptions/Information, Item 7, list of equipment that must be purchased by the contractor, includes Item g. - 4 Komatsu HM 400-2 Articulating Trucks. Are these the trucks with the rail beds that shuttle intermodal containers between the rail head and the dump ramp or the trucks with dump beds in the disposal cell that haul the RRM from the ramp to the placement location? If the latter, does the incumbent contractor have a requirement similar to E.8 Acceptance in the RTP for equipment to be decontaminated prior to final acceptance by the government?

Response: Komatsu's are trucks with dump beds in the disposal cell that haul the RRM from the ramp to the placement location in the disposal cell. Refer to Q&A #160.

208. To facilitate accurate pricing of maintenance costs in the fixed unit rate for placement and compaction of RRM, please provide the age/operating hours of: 4 Komatsu HM 400-2 Articulating Trucks included in Attachment L-7 Cost Assumptions/Information, Item 7, list of equipment that must be purchased by the contractor; and Crescent Junction equipment listed in Section J, Attachment C, most notably the Komatsu D275AX-E0 and the Cat 825H.

Response: Refer to Q&A #105.

209. Will the decon wash system be left in place for use by the incoming RAC contractor?

Response: Yes.

210. Will the hoisting and rigging components in the lidding/de-lidding facility be left in place for use by the incoming RAC contractor?

Response: Yes.

211. RTP Section C.2.6.2 states "contractor shall construct the interim cover in stages in order to prevent excessive areas of the cell remaining open while awaiting arrival of RRM shipments..." This performance requirement is not aligned with the predicted funding profile in Section B.5 and the assumptions in Attachment L-7d. which indicate that the "contractor shall assume the Phase 2 interim cover will be started and completed during fiscal year 4." Please clarify the discrepancy between the requirement to construct the interim cover in stages and the lack of funding to meet this requirement.

Response: Funding associated with the interim and final covers are not included in the funding profile shown in RTP Section B.6. As stated in the RTP, Section B.6 "the provided funding profile covers the estimated cost, base fee, award fee, and firm fixed unit rates described in Section B.5 for CLINs 0001, 0002, and 0003". As the contractor approaches the disposal cell design height, DOE anticipates providing additional funding and ordering quantities for placement of the interim cover (CLIN 0004).

212. If transition space will not be provided by DOE at Moab and Crescent Junction, will space be available for placement of two trailers during the transition period (one at the Crescent Junction site and one at the Moab site)?

Response: Yes.

213. Will the contract awardee have access to the TAC during the transition period for functions such as IT support and records (e.g., network access, records access, and internet)?

Response: Yes.

214. DOE response to question #29 regarding L.6(b)(6) states that the reference to H.17 is incorrect and that the correct reference is H.2. There are other statements in the RTP that reference H.17 (e.g. C.2.7.4). Are we to assume the ALL H.17 references are to be changed to H.2? Please clarify."

Response: No, PWS Section C.2.7.4 refers to Section H.17 of the RTP. Section L.6(b)(6) refers to H.2 of the basic IDIQ.

215. "Attachment J-A provides a list of deliverables with most deliverable dates relative to "Task Order Award." Please clarify the correct start date for purposes of calculating a deliverable due date. Is it: From Task Order Contract Award (which could be September/October 2011), from start of transition (November 2, 2011), or from start of assumption of contract responsibility (January 1, 2012)?

Response: From task order award.

216. It is our previous experience, and also DOE precedence on many past RFPs, that a performance guarantee clause applies only when the bidding entity is new and created for the single purpose of bidding a new contract. This is implied by the second and third sentences of H.43 which references JVs, LLCs, and joint and several liability assigned to each member company of such business entities. For these reasons, we assume that the Performance Guarantee in this proposal is only required if the bidding Contractor is a joint venture, limited liability company, other similar entity, or a newly formed entity. Will DOE please confirm this assumption?

Response: RTP H.43 and Attachment J-F will be deleted in its entirety.

217. Numerous questions have been submitted to DOE and, as of the cutoff date for questions (January 19), many questions remain unanswered. The answers to outstanding questions will potentially have a significant impact on the content of the both technical and cost proposals. With less than three weeks from the proposal due date and many outstanding questions, we believe an extension to the due date is required to appropriately address and implement the answers to the outstanding questions. We respectfully request DOE extend the proposal due date by ~two weeks to February 24, 2011

Response: Not at this time.

218. DOE's answer to question #66 indicates that ALL equipment is to be purchased/leased under CLIN 0002. Will maintenance of all equipment also be covered under CLIN 0002? Please clarify the modified scope that is now covered within the fixed unit rates for CLIN 0003, 0004, 0005."

Response: Attachment L-7, Item 7, will be modified to state that all equipment listed in Attachment L-7, Item 7, is to be purchased/leased under CLIN 0002. All other purchased/leased equipment used at the Moab site shall be included as part of the proposal under CLIN 0002. All purchased/ leased equipment used at the Crescent Junction site shall be included as part of the proposal under CLIN 0003.

219. Based on our site tour, it appears that upgrades to the pavement at the siding in Crescent Junction may be required because of heavy equipment and traffic being experienced. What is the expected design life of the pavement? Should cost for this upgrade be part of CLIN 0003 or will that be included in the CLIN 0002 Operation and Maintenance figure provided by DOE?

Response: Substantial upgrades to the pavement at Crescent Junction is not anticipated to be required during the course of this task order. Normal wear and tear would need to be factored into the contractor offer CLIN 0003.

220. Please consider an extension to the proposal due date to allow bidders adequate time to incorporate information obtained from the answers to questions and the upcoming amendments.

Response: Not at this time.

- Amended 141. Please provide a list of vendors and subcontracts (valued over \$10,000) that the current contractor has in place.

Amended Response: The list of subcontract descriptions being used by the current contractor and the unit cost will be posted on the Moab acquisition website.

- Amended 143. Regarding the answer to posted question #8, (re: UPRR/ES unit train contract) what is the AILF for 2011 (and beyond for next 4 years)? Also, please verify that the "contract rates" per car/box are round trip prices from/to Moab.

Amended Response: The successful contractor will have to reach an agreement with Union Pacific Rail Road. However, the current terms are expected to be the same. The 2011 pricing has been posted to the Moab acquisition website.

The prices provided for UP are for round trips